App F IX-4

Previous References
ne 10-41-107/108
ne 10-44-152, 153
ne 5-52-2

Later References

1953-54
(CM)

File No 1-53-
Serial Nos 88, 89

P 415 E

MYSORE GOVERNMENT SECRETARIAT

Serial Nos 2

Part B for January 1954

SUBJECT

appointment of Dr ~~S~~ S Sarojamma as the corporation

WD 04867—GPB—9 000—11 1 54

The Comm: Bangalore corporation
L 13864/ dated 27/1/54
directs to terminate the
Services & pay her the amount due

MJ 8781

Appointment of Srimathi S Sa
Ban B Sc, M B B S, House Surgeon Vi
Hospital Bangalore as Lady
in charge of Maternity and Child
Centre Bangalore City Municipality
to supervise the other Maternity Homes of the Municip

Letter No. A 5-C 438/48-49 dated
the 14th May 1949 from the Municipa
Commr, Bangalore City requesting
sanction of Govt to the resolution
of the Municipal Council dated
9th March 1949 approving of the
appointment of Dr S Saroja Ban
on probation for 6 months in the fi
instance in an existing vacancy on a
starting pay of Rs 100/- per mensem

Submitted for orders. The Counci
resolution does not make any
mention of the grade of Rs 75-5-
10-150-10-200 referred to by the M
Commr in the above letter. Thus
grade obtains in the Medical Dep
also for similar appointments.

2) What the "existing vacancy" is
and how it arose is not clear.

3) A — Pl enquire when
vacancy it as a true
arose thereafter

4) Submitted with a draft
for appl

5)

8781 V1476/mcl.

Appointment — Sm R Saroja Bai & —
Ms B.B.S on the Bangalore city Mg

To

The Municipal Commissioner
Bangalore city
L 13934/49 28/5/49
Calls for information

Sms A
14/7/49

From

The Municipal Commr, B'lore city
No A.S.C 4388/48-49 dated 17-8-49
Furnishes the information called for

(a) The appointment is proposed to be made on the vacancy caused by the resignation on 14.9.48 of Sm R Harishwardevamma who was borne after the work of Nanasarthapet Maternity Home

7) Municipal Collections 10-01 (Sl 108) and 10-44 (Sl 153) on which the appointments of Asst Health Officers (Lady) were created and a separate doctor exclusively in charge of the Maternity dept "Welfare Centre" was ordered to be placed are put up on Files T" & U"
Covers the appointment of Dr, Harishwardevamma for the Nanasarthapet Maternity House is stated to have been made in Consequence of the above Govt orders

8) The proposal of the Municipal Council to sanction the appointment of Sm S Saroja Bai on Rs 100/- in grade Rs 75-5-100-10-150-10-200 vice Smt. Harishwardevamma for orders
Ms 29/8/49 M 30/8/49

1476/K

1698/M

9) It may be kindly stated if this lady has been / would be appointed as an Asst Surgeon in the Medical Deptt

Asst Reg Medical Officer

Recd 31/8

MS

Sent MMG 31/8

3478/49

Subd

10) Sm B K Sarojini Bai & Sm A R Sarojini Bai made applied for the posts of Asst Surgeons & they have been appointed A copy of Govt Order No 1299 45 is placed herewith

11) Sm S Sarojini Bai had not applied for the post

MMG 21/9/49

Asst Reg Medical Officer

Reg 21/9/49

12) The proposal for appointing Dr S. Sarojini Bai as the Block Medical Officer in place of Sm Kaveriamma is for Govt orders

Sd/- 3/10/49 JM

13) A detailed note. Maybe put up

Sd/- 8/10/49

1476/ml

Appointment of Smt S Saroja Bai, B Sc M B B S as the Bangalore city Municipality

—.

14) On the temporary establishment of a Maternity and child welfare Section of the Bangalore city Municipality, there were two Health Officers on a pay of Rs 75 + 20 and a Lady Doctor on Rs 50 + 20 One of the post of the Health Officers have fallen vacant in April 1942, proposals were sent up by the Municipal Council for the conversion of the two posts of Lady Doctors on Rs 50 + 20 p M each which was approved in G O No. L 10561-4/ml Flag 'U' 10-Col-108 dated 4 5 42 The strength of the staff therefore increased to one Health Officer and three Lady Doctors.

15) Again in G O no L 12325 8/ml 10-44 Flag 'T' -153 dated 20 6 45, sanction was accorded to the proposal of the Municipal Council for the starting of a Maternity and child welfare Centre, under the auspices of the Bangalore city Municipality One Lady Doctor among others was proposed for this Centre It is not clear whether this post is additional

16) The Municipal Council has not furnished details as to the actual number of posts available in the Municipality, the number now working and the vacancies available for temporary filling up now

17) It is reported that Dr Phillips, who was in charge of the Mavalli Thapet Maternity Home and also Maternity child welfare Centre,

Vide Files 1M 3018/ml

Appointment of Sm. S Saroja Bai B Sc in the Bangalore City Municipality

was posted to the exclusive charge of the Maternity and child Welfare Centre from 25 1 46 and Dr K Lakshmidevamma was appointed to look after the work in Manavarthpet Maternity House from 16 5 46. Who was in charge of this House during the intervening period from 25 1 46 to 16.5 46 is not stated

18) Srimathi K Lakshmidevamma ~~was~~, continued as ~~the~~ [illegible] Lady Doctor in Manavarthapet Maternity Home till 14 9 on which date she is stated to have resigned the appointment ~~[illegible]~~ now it is proposed to appoint Dr Saroja Bai in the vacancy on Rs 100/ in grade Rs 75 5-100. 150 10-200 How the appointment could be made on this pay before the grade is sanctioned or whether the revision of the pay of this post has already been sanctioned for the Municipal Council to submit such a proposal is not clearly explained. Who else has been placed in charge of the Challaram Maternity Home is ~~also~~ not known

19) In the circumstances, it may perhaps not be possible to approve the position unless information is obtained from the Municipal Commissioner of the number of posts sanctioned for the Municipality, the incumbents now working against each, their designations and pay, and the vacancies available for being filled up, etc. How many health visitors are there and whether they are working regularly as stated, with [illegible]

20) Sub for orders regarding [illegible]

A [illegible] 12/10/49

21) A - may be called for. [illegible]

[illegible] 12/10

[illegible] 15/10/49

1179/mb

Appointment of Sm S Saroja Bai, B Sc MBBS as the Bldg City Municipality

From

The Commr Corporation of Bldg
No A S C 438/48-49 Dt/15/16.5.50

Furnishes the information called for.

Secretary's Observation

28) " as the rules according as per C.R.B Rules"

29) The Commissioners Report's that there are three Lady posts of Lady Doctors in the Bldg City Municipality as follows.

These shall henceforth always designation was changed to "Lady Doctors" as per letter no BMC W 531/47-48 dated 6.12.47 from the D:P.H

one Lady Doctor

30) Dr Grace pleclips on Rs 1307- as grade Rs 75-5-100-10-200 plus Rs 20/- C.A is posted to the charge of the Maternity and child welfare Centre

31) One lady doctor on Rs 75/- in grade Rs 75 5-100-10-200 plus Rs 20/- C.A is posted to the charge of the Mavoorkil post Maternity Home and

32) The third vacancy is posted to have been filled up by appointing Dr S. Saroja Bai who is now in charge of

1179 Jml

Appointment of Dr S Saroja Bai B Sc, M B B.S as the B'Lore City Mcpl Selli Chellamma Maternity Home

33) In the proceedings letter dated 17 8 49 from the Municipal Commissioner it was stated that Dr. Phillips was in charge of both the Maternity and Child Welfare Centre and of the Narayanthapet Maternity Home and according to Govt dated 20 6 48 she was exclusively posted for the Maternity and Child Welfare Centre, Dr. Laxminarayanamma was appointed to carry on the work of the Narayanthapet Maternity Home since Laxminarayanamma resigned on 14 9. 48, the Commissioner has proposed the appointment of Saroja Bai as Asst. Visiting

34) Evidently as seen from the present proposals it may be gathered that Dr. Laxminarayanamma has in charge of both the Narayanthapet Maternity and Selli Chellamma Maternity Home and since she did not formally relinquish the post, hence duties are interpreted and Dr Saroja Bai appointed exclusively for the Selli Chellamma Maternity Home. This point will also be clarified from the Commr.

35) A draft letter to the Commr, B'lore Corporation is put up for approval.

Rec 12/6/50

36) 17/6

1179 ✓1130/mk

Appn of Dr S Saroja Bai in the matter of Bangalore city MLJ

To

The Commissioner, Corporation of the city of Blore

(Secn 'the Mayor')

L 3368/A4 24/6/50

Calling for information.

Secy 26/6/50

37) Publicity - a draft Memorandum for approval.

DS 18/5 38) A Copy of Blore Road No 17/5/51

Proceedings

The Commissioner, Corporation of the city of Blore

No A C C 438/48-49 Dt 10-5-51

Forwarding the correspondence called for

39) The Commissioner's Report is for perusal It has been stated that Dr Saroja Bai was appointed in pursuance of the Resolution dated 7 3 49 of the erstwhile Blore city Municipal Council and that the appointment is not yet Regularised under the Rules of C R B She has been drawing the Vacancy of Dr Kamala Bai who resigned on 14-9 48

40) The Corporation's Request is approval to the appointment of Dr S Saroja Bai on Rs 100 in Grade Rs 5-100-10-150-10-200 She is a B Sc, M B B S and the Mayor in his forwarded memo has further emphasised the

1130/m2

Appointment of Dr. Saroja Bai as the Corporation

the need of making her permanent on the said post, except by the device for trained Medical hands

41) The question has been pending for so long a time and the representations for her absorption on Rs 100 in the grade of Rs. 75-5-100-10-150-10-200 may perhaps be appraised in consultation with the Rep Secy who is in charge of the Subject of PSC

Secy on duty at Delhi

42) Refer for orders with reference to para 4 of our U O 246 dated 23-5-57 PSC may be Consulted

43) Forwarded U O to the Public Service Commn for favour of remarks

By order
M Srinivasa Varadan
for Secy to Govt
22/5/57 A & S Dept

U.O. No. 1261
U.O. 315/51-1
No. 20035/51/52/PSC dt. 21/4/1952
Encl: 3 files & records

Returned

44) The Commission observes that the action of the Corporation in having appointed Dr S Saroja Bai in the vacancy of a Lady Doctor in grade Rs 75-5-100-10-200 without reference to recruitment rules, is irregular The posts of Lady Doctors are subject to the rules of recruitment in the same way as other appointments of the Corporation, and hence it is considered that no exception could be made in filling up the former posts It is seen from the file that there are three sanctioned posts, that the first two have been filled up without advertisement and that the third one is also proposed to be filled up likewise

45) The Commission is not in favour of accepting •

11130 /ord-

Appointment ~~of~~ Dr S. Saroja Bai

the proposal to appoint Dr S Saroja Bai in the 3rd vacancy without advertisement It should be registered, classified and filled up after advertisement She may also apply and take her chance If she is a Brahmin lady, she is not eligible for appointment in a special vacancy

9 February 1974

(S Devaraj)
Secretary, Mysore
Public Service Commission

BMP

46) The above note of the Secretary, P S C be for perusal

47) It is not ascertainable clear from the available Records when Dr. Saroja Bai was appointed for what period She has worked in the Corporation, whether She has been allowed any Salary and if so at what Rate and whether the State Government is a Party Hence particulars may be necessary before taking further action on the Proposition of the P S C

48) Submit for orders

Above 47) In view of the fact that Corporation has powers to appoint and in view of the fact that the P S C rules are not being applied to the Services in the Corporation, it is not desirable to apply this particular case to rules of Recruitment as

Serial No

~~the~~ the Corporation if the maximum monthly Salary exceeds Rs 1000/- and by the Governor in all other cases

52) under Sub Sec (2) of Sec 89 of the Act any appointment to an office under the Corporation under Secs 84, 85 and 89 the maximum monthly Salary of which exceeds Rs 250/- shall be made only with the previous Sanction of Govt

53) The effect of the above provisions is as follows:-

(a) The Commissioner shall make the appointment when the ~~monthly~~ maximum monthly Salary is Rs 1000/- or less

(b) The Corporation shall make the appointment when the monthly maximum monthly Salary exceeds Rs 1000/- but does not exceed Rs 2250/-

(c) The Corporation shall recommend the appointment when the monthly maximum monthly Salary exceeds Rs 2250/- for the Sanction of Govt.

54) Under Sec 94 of the Act the Standing Committee shall frame Regulations prescribing the Service Conditions, etc, which are subject to ~~the~~ confirmation by the Corporation

NOTE—Contn Sheet

Appointment of Dr. Saroja Bai as the Vice Chairman.

File No 1130/Ser/52 of 1951-52 — General and Revenue Secretariat

Serial No

and Certain portions may be specified thereafter to be sanctioned by Govt.

58) The above powers regarding appointments to the Corporation establishment are given conditionally to the Corporation by the State and they cannot therefore be deemed to come within the purview of the P S C Rules

56) The Corporation Act closely follows the Madras Act and these provisions are almost identical in the two Acts. Hence it may help to appreciate the position better if the practice in vogue in Madras should be ascertained

57) Submitted for orders. Ref para 4 above.

Sd/- 18/6/52

58) Note below the opinion of the Law Secretary on this subject (The opinion is furnished in Krishnaswamy Case)

Sd/- 19/6

59) The Collection referred to above has been put up as the allocation of the Corporation establishment. If approved the Scheme of the Same could be awaited. 60) await the return of the file

Sd/- 1/7/52

Sd/- 1/7

Sd/- 5/7

Appointment of Dr S Saroja Bai as Chief Engineer Corporation.

General and Revenue Secretariat — File No 1130/ml of 1951-52 — 15 — [App F III-2

WD 015452—GPB—PZS—40 000—1 10 51

Serial No

61) The file referred to above is not yet received here -

62) Reminder for orders as per circumstances

Reminder sent 1/9/52

63) It was reminded both yesterday & today 2/9

64) The file is submitted by the Secretary on 8-9-52 (D No 399/52)

Sent

Reminder 3/9/52

65) Wait for some time until the file is received

3/9

66) Collection of TCS (Collection) Collection-5-52 (SL 2) is put up (Under flag B) - Ref para 58 above

67) According to Section 89 of the Corpn Act 1949, the Corpn and the Comr are competent to make appointment up-to Rs 250 in each case without sanction of Govt As regards Variations in Pay, increasing allowances, etc, the Corporation has full powers under Section 90 The Public Service Commission has need not be consulted (Vide extract of Sections 89 and 90 enclosed Flag 'A') This is with reference to Para 64 May be forwarded to Edn Secretary for perusal & return

Secy Edn

12/9

OTE—Contn Sheet

Appointment of Dr Sargent Bar in the Corporation

H

File No 1130/ou 10 of 1952

General and Revenu Secretariat

Serial No 6871

(Chief Secy) 14/11/52

68) It is not known as to what are the provisions made in Sections 84, 85, 88 of the Corporation Act. The MI Branch may be requested to make available a copy of extract from sections 84, 85 & 88 or to make available the Corporation Act & the reference and return.

9/12 68) A/S 9/12 Pol

9/12

69) A Copy of the Corporation Act or pull up for Reference and Return

10/12 70) Under Sec 90 10/12

15/12

71) Submit with reference to para 49 ante. The Secy, L S G is of opinion that the P S C need not be consulted in the matter (vide para 67 ante). He says that the corporation has full powers under Section 90 of the Corporation Act (Copy placed below) to make appointments up to Rs 250/- without sanction of Govt but it can be said that such appointments made by the corporation are subject to confirmation by the Govt as per section 84 of the Act. The provisions may kindly be explained to the Head of Police working under the Commissioner

8837 NOV 1952

17/11

GENERAL & REVENUE SECRETARIAT 10 DEC 1952 MUNICIPAL BRANCH

Serial No

1680/E

5731-L(33/52)/E

The views of the L S G Secy that the corporation can make appointments without consulting may be agreed to. The P S C have proposed in their draft rules that rules of recruitment may be made applicable to District Boards, Municipalities, Corporations Village panchayets, Sanitary boards and Universities ~~Part~~ The rules are separately under consideration in Council and in the Council note it has been proposed to omit the above said ~~bodies~~ bodies from the operation of the P S C rules (Rule 15) till an enactment is made in the legislature to bring the services of under University and local bodies within the perview of the P.S C 2) In view of the above facts it is for consideration whether the appointment of Dr Saroja Bai on Rs 100/- in grade 75-5-100-10-150 made by the corporation without consulting the P S C may be approved with the concurrence of the finance dept (& files for orders)

Yes 27/12/52):

27/12- With reference to the observations of the Psc in para 4 4 above, the point has been further clarified by the Administrative Sectt; which has taken a view that Psc rules need not be applied till an enactment

NOTE—Contn Sheet

File No Appointment of Dr Saroja Bai in the Corporation

Genera and Revenue Secretariat

Serial No 680/E

It made in Legislature, they do not appear to come under the P.S.C. rules with a view to appreciate existing position this file may, again, be referred to the PSC, kindly, for note and return with remarks, if any

Chief Sec)

OFFICE OF THE MYSORE PUBLIC SERVICE COMMISSION BANGALORE 12 JAN 1953 U.O. 206/53

4) U O NOTE NO E 480/52-3

Forwarded to the Secretary, Public Service Commission, Bangalore for favour of furnishing the Remarks of the Commission in the matter

For Chief Secretary to Govt

5) S U O Note No 26/53-54/P S C Dated ~~18 June~~ July 1953

Returned

6) The Commission examined the question raised in the Secretariat file regarding the applicability of the rules of recruitment to the Corporation services with reference to the existing provision, and is of the following opinion -

7) There is no doubt that the Commissioner and the Corporation have been given enhanced powers of making appointments without reference to Government This

(CONTD)

8 JUL 1953

This does not mean that appointments in the Corporation are exempt from the operation of the rules of recruitment Heads of Departments are also given similar powers to make appointments, promotions and transfers upto the prescribed maximum limit of sanction But they are making appointments through the Public Service Commission in accordance with the rules of recruitment What is, therefore, contemplated in the enhancement or enlargement of powers is that final sanction rests with the authority to which power is delegated without reference to the higher authorities This does not in anyway modify, supersede or amend other rules regulating the method of recruitment, etc , which have to be followed as heretofore unless Government specifically exclude appointments from the ambit of the procedural rules

18) The Corporation Act has no doubt given more administrative powers to the Commissioner and the Corporation But it has not exempted the Corporation services from the operation of the rules In the absence of such indication, it is quite obvious that the intention of Government in framing the Act was to continue the operation of the rules in regard to appointments of the Corporation as it existed prior to its promulgation

19) Further, the rules of recruitment were made applicable to all the local bodies including the Bangalore City Municipality After retrocession, appointments in the Civil Station Municipality were also brought within the rules of recruitment The Commissioner, Bangalore City Corporation, has been appointed as the Unit Officer for purpose of recruitment to all Corporation services as

(P T O)

Appointment of Dr. Saroja Bai in the Corporation

as per G O No E &X 9709-15/R & P S 10-49-2 dated 28-2-1950 As per Article 313 of the Constitution of India, the laws that were in force immediately before the commencement of the Constitution and applicable to any public service or posts shall continue in force as far as consistent with the provisions of the Constitution

680/2

80) In view of this enabling provision, the appointments in the Corporation which were subject to the rules of recruitment should maintain the same status-quo and have to be made with reference to the rules of recruitment until an Act is promulgated under Article 321 of the Constitution Even in the old Municipal Act no mention was made of the applicability of the rules of recruitment to the services in the defunct Bangalore City Municipality But under a separate executive order the rules were made applicable to the Municipal services The same order continues to be in force even after promulgation of the Corporation Act

81) In view of what is stated above, the Commission adheres to its opinion furnished in para 44 of the Secretariat file It is not in favour of regularising the appointment of Dr S Saroja Bai which was made without reference to rules of recruitment

6/1/67

(S Devaraj)
SECRETARY,
PUBLIC SERVICE COMMISSION

TN)

82) The opinion of the Commission is sought for orders

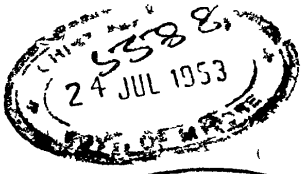
6/1/67

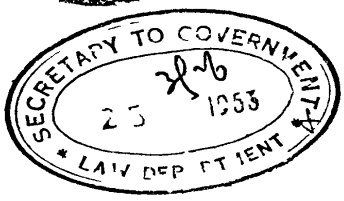
83) The PSC are not in favour of regularising the appointment made by the approach Corporation but may be agreed to

Re appointment of Dr Savaya Bai in the Corporation

Reckoning her service in the Corporation as a service put in by a local candidate to enable her to get the pay for the period she has worked

2569 Law





Chief Secy) 23/7

2) For favourable opinion on the legal constitutional aspects raised by the P S C

Law Secy) 24/7

3) 27/7

Law
Cm
25/7/53

Sir Will 27/7

Chief Secy

5) The Administrative Secretariat may kindly put up the following references:-

1) the Rules of recruitment as in force at the time of appointment of Smt Saraya Bai

11) Copy of the G.O dated 28/2/1950 referred to Para 78 supra

MRV 26/7

Law 27/7/53

Chief Secy 27/7

Under Secy Edn

6) Copies of Rules of recruitment & G.O dt 28 2 50 referred to above are put up (Flags U, V & W) -

Maybe sent to Law Branch

4277 26/7

30/7 30/7 7) Dy Secy Law 8) MRV 30/7

9569 - Law

89 The Lady Doctor S Saroja Bai has been appointed by the Bangalore City Corporation in the existing vacancy, and as seen from the file, this appointment has taken place long prior to the framing of the Mysore Public Service (Functions) Rules, 1953 At para 77 supra, it is stated as follows -

> "There is no doubt that the Commissioner and the Corporation have been given enhanced powers of making appointments without reference to Government This does not mean that appointments in the Corporation are exempt from the operation of the rules of recruitment "

Again at para 79 supra it is stated as follows -

> "Further, the rules of recruitment were made applicable to all the local bodies including the Bangalore City Municipality After Retrocession, appointments in the Civil Station Municipality were also brought within the rules of recruitment The Commissioner, Bangalore City Corporation, has been appointed as the Unit Officer for purposes of recruitment to all Corporation services as per G O No F 9709-15/R & P S 10-49-2 dated 28-2-1950 As per Article 313 of the Constitution of India, the laws that were in force immediately before the commencement of the Constitution and applicable to any public service or posts shall continue in force as far as consistent with the provisions of the Constitution "

Para 81 supra is as follows

> "In view of what is stated above, the Commission adheres to its opi nion furnished in

1130/me
S1 62.

6892 — 3

Re Appointment of Dr S Saroja Bai in the Corporation

680/E

para 44 of the Secretariat file It is not in favour of regularising the appointment of Dr S Saroja Bai which was made without reference to rules of recruitment "

The appointment in question has been apparently made long prior to the framing of the Mysore Public Service (Functions) Rules, and as such, the appointment had to be made according to the old rules, and even according to the old rules, the Public Service Commission had to be consulted Hence the appointment of Dr S Saroja Bai is not in order as stated by the Public Service Commission

Chief Secretary -) 30/11/53

9) I agree with the Law Secretary & the P S C the appointment of Smt Saroja Bai has to be terminated. I agree as all para 8 that she may be paid the salary due to her for the period she has worked

L-S G Secy) 17/12 2/21/12

9) for orders

25/12 28/12

Mem L S G)

9) I agree with the Chief Secy

31/1/54

51

1130/nl
21-53

Re appointment of Dr. S. Shoba Rao as the Corporation

---

93) A draft letter to the Commissioner, C.C.B. is put up for approval.

Sd/- 21/1/54.
Sd/- 22/1/54

Sd/-

Issue
Sd/-
23/

To

The Commissioner, C.C.B.

No. L. 18864/C.M 1-53 dt
Dated 27 1 54

Directed to communicate her appointment and pay her the amount due for the period she has worked.

Copy to the Controller, S.A.D.
(2) " Auditor, C.C.B

B. 9/2/54

Sd/-
4/2

Regn 29/8

Bangalore City Municipality.

No 45 C 438/48-49
Encl nil

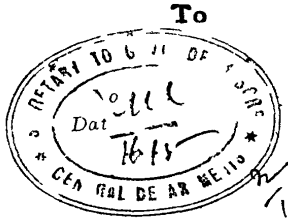
MUNICIPAL OFFICE,
Bangalore 14th May 1949

FROM

SAFI DARASHAH, Esq, B A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

To

Janab Mir Safdar Hussain, B A,
Secretary to the Government of Mysore,
General Department, Bangalore



16/5/49

17/5/49

SIR,

I have the honour to state that on the occurrence of a vacancy of Lady Doctor in this Municipality one Sm S Saroja Bai, B Sc, M B B S, House Surgeon, Victoria Hospital, Bangalore City was recommended by the Health Officer for being appointed in the vacancy to be in charge of the Maternity and Child Welfare centre and also to supervise other maternity homes The Municipal Council at their meeting held on 7-3-1949 resolved that Sm S Saroja Bai be appointed on probation for 6 months in the 1st instance in the existing vacancy and that she be stated on Rs 100/- per month in grade 75-5-100-10-150-10-200 in the existing vacancy

2 It may be stated in this connection that the services of suitably qualified Lady Doctors are not easily procurable and it was with great difficulty the services of the present candidate were secured She is a Medical Graduate and the Health Officer has reported that she has been doing very good work

In the circumstances I request that sanction of Government may kindly be obtained for her appointment in the existing vacancy on a starting pay of Rs 100/- as resolved by the Municipal Council

A copy of the resolution of the Municipal Council is enclosed herewith for favour of perusal

Yours faithfully,
Darashah
Municipal Commissioner

Forwarded with compliments
Honorary President

2

Proceedings of the meeting of the Bangalore City Municipal Council dated 7-3-1949

No 2 Health Officer's report on the application of Dr S Saroja Bai for appointing her as Assistant Surgeon on Rs 150-10-250-20-40 to be in charge of the Maternity & Child Welfare Centre and also supervise the other Maternity Homes

Resolution - Resolved that Dr S Saroja Bai be appointed on probation for 6 months in the first instance in the existing vacancy and that she be started on a pay of Rs 100/- P M

Sd R Subbanna,
Honorary President

"Copy'

For Municipal Commissioner

The Municipal Commr.
Bangalore City
(Through the Pdt.)

Subject - Proposal to Appoint ~~another~~ Dr S. Saroja Bai as Lady Doctor in the Bangalore City Municipality in an existing vacancy

Sir,

With reference to your letter No A 5 C 438/48-49 dated the 14th May 1949 on the above subject I am directed to enquire

in which vacancy Dr. S Sanyal Bar is proposed to be appointed and how it arose and from what date

Yours faithfully
sd
for Secy to Govt
General Dept

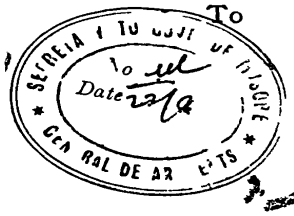
No A5 C 438/48-9

CITY MUNICIPAL OFFICES

Bangalore, dated 11th Aug. 1949

FROM

GEORGE MATTHAN, B Sc,
MUNICIPAL COMMISSIONER,
BANGALORE CITY



To

Janab MIR SAFDAR HUSSAIN, B A,
Secretary to the Government of Mysore,
General Department,
BANGALORE

SIR,

Subject - PROPOSAL TO APPOINT Dr S SAROJA BAI AS LADY DOCTOR IN THE BANGALORE CITY MUNICIPALITY IN AN EXISTING VACANCY

With reference to your letter No L 13934 dated 28-5-1949 asking me to intimate the vacancy in which Dr S Saroja Bai is proposed to be appointed etc, I have the honour to state that Government have sanctioned two Lady Health visitors in Government Order No L 10561-4/M1 1041-108 dated 4-5-1942, one for Manavarthapet Maternity Home and the other for Chellaram Maternity Home Dr Phillips, was in charge of the Manavarthapet Maternity Home and also Maternity Child Welfare Centre But according to Government Order No L 12325-8/M1 10-44-153 dated 20-6-1945, Dr Phillips was exclusively posted for the Maternity and Child Welfare Centre from 25-1-1946 and Dr K Lakshmidevamma was appointed to look after the work in Manavarthapet Maternity Home from 16-5-1946 Srimathi K Lakshmidevamma was the Lady Doctor in Manavarthapet Maternity Home till 14-9-1946 on which date she resigned the appointment This post was left vacant for want of qualified person since 14-9-1946 Against this vacancy Dr S Saroja Bai is now appointed on Rs 100/- in the revised grade 75-5-100-10-150-10-200

I, therefore, request you to kindly obtain sanction of Government to start with an initial pay of Rs 100/- to Dr Saroja Bai, who is fully qualified for the post of

of an Assistant Surgeon, as resolved by the Council I may mention that Dr Saroja Bai is frequently giving applications to start her on Rs 100/- A copy of her application dated 21st July 1949 is herewith enclosed for kind information

Yours faithfully,

rs/

MUNICIPAL COMMISSIONER

Copy of application dated 21st July 1949 from Dr (Miss) Saroja Bai, B Sc , M B B S , to the Municipal Commissioner, Bangalore City.

I beg to bring the following facts to your kind consideration

When I was first taken over by the Municipality, I was told that I will be taken as Asst Surgeon with the same scale of pay as in Government Service, i e , Rs 100/- per month I was informed that the matter has been taken up with the Government for formal approval and as soon as it is approved I will be paid Rs 100/- per month But so far no action has been taken

I would like to mention that even the public health nurses working with me are drawing a salary of Rs 150/- per month and I being a B Sc , M B B S , doctor am being given only Rs 75/- p m

I request you kindly to look into the matter and get my sanction as early as possible, hence encouraging me to discharge my duties to the best of my ability

Thanking you,

"COPY"

for Municipal Commissioner

17/8

1476
mc

No. L 4548 C Dated 4-11-1969

To

The Municipal Commr
Bangalore City
(Through the proper channel)

Subject:- proposal to appoint Dr S Saroja Bai as Lady Doctor in the B'lore City Municipality in an existing vacancy.

Sir

With reference to the correspondence ending with your letter No A S C 438/48-49 dated 17 8 49 on the above subject, I am directed to enquire how many posts in all of Lady Doctors and Health officers have been sanctioned for the Municipality, the circumstances warranting at present request these posts and their pay and the number of vacancies available for being filled up now

A very early reply is requested

Yours faithfully

Hon General Secy
Urdu
25/10/49

George Matthan B Sc
MUNICIPAL COMMISSIONER
D O No A5-C 438/48-49

9

CITY MUNICIPAL OFFICES,
BANGALORE
Dated [illegible] 1949

GENERAL & MUNICIPAL BRANCH SECRETARIAT
2679
26 OCT 1949

Dear Sri Nirvani Gowda,

Subject - PROPOSAL TO APPOINT Dr S SAROJA BAI, AS LADY DOCTOR IN THE BANGALORE CITY MUNICIPALITY IN AN EXISTING VACANCY

SECRETARY TO GOVT OF MYSORE
No
Date 28/10/49

In inviting your kind reference to this office No A5-C 438/48-49 dated 2-8-49, with regard to the proposal to appoint Dr S Saroja Bai as Lady Doctor in an existing vacancy in this Municipality, on a starting pay of Rs 100/-, I request you to kindly obtain early sanction of Government thereto, as the Lady Doctor is pressing for the payment as per the Council resolution

Yours sincerely,

Sri A C NIRVANI GOWDA, B A ,
Secretary to the Government of Mysore,
General Department,
BANGALORE

rs/

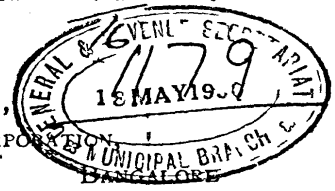
1C

CORPORATION OF THE CITY OF BANGALORE

No A5.C 458/48-49

CORPORATION OFFICES,
BANGALORE

Dated 15th May *1950*

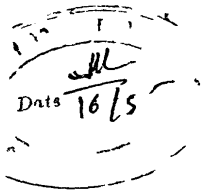


FROM,

MIR SAFDAR HUSSAIN, Esq, B A,
COMMISSIONER, BANGALORE CORPORATION.

17/5/50

To



The Secretary to Government,
L S.G Department,
BANGALORE.

SIR,

Subject - PROPOSALS TO APPOINT DR S SAROJA BAI AS LADY DOCTOR IN THE BANGALORE CITY MUNICIPALITY IN AN EXISTING VACANCY

With reference to your letter No L 4548 dated 4-11-49 asking me to intimate as to how many posts in all of Lady Doctors and Health Visitors have been sanctioned for the Municipality, the incumbents working at present against these posts and their pay and the number of vacancies available for being filled up now, I have the honour to state that two Health Visitors and one Lady Doctor posts are the sanctioned strength of the Bangalore City Municipality The designation of the two Health Visitors has been changed to "Lady Doctors" as per the letter No HMCW 561/47-48 dated 6th December 1947 received from the Director of Public Health in Mysore, Bangalore Thus all three posts were designated as "Lady Doctors"

Dr Grace Phillips on Rs 130/- in grade 75-5-100-10-200 plus Rs 20/- Conveyance allowance is incharge of the Maternity and Child Welfare Centre and Dr K Lakshmidevamma on Rs 75/- in grade 75-5-100-10-200 and Rs 20/- Conveyance allowance is in-charge of the Manavarthpet Meternity Home The third vacancy is filled by appointing Dr S Saroja Bai, who is

P.T O

who is now in-charge of the Seth Challaram Maternity Home If Dr Saroja Bai's appointment as proposed in this office letter of even number dated 5-8-49 is approved, there will be no more vacancies to be filled up among the sanctioned strength of the Lady Doctors of the Bangalore City Municipality.

Forwarded with compliments

MAYOR.

Yours faithfully,

COMMISSIONER

TNL/-

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

~~(Continuation sheet draft form)~~

1

No. L. 3368 Dt 24/6/50

To

The Commissioner
Corporation of the city of B'lore
(Through the Mayor)

Subject proposal to appoint Dr S Sarojamma as Lady Doctor in the Bowring & Lady Curzon Maternity Hospital on an existing vacancy

Sir,

With reference to your ~~letter~~ and the correspondence ending with your letter No H S C 438/48-49 dated 15/16-5-50 on the above subject, I am directed to enquire whether the appointment of Dr Sarojamma has been made in accordance with the Rules of the C R B

The Commissioner of the

Castastrale B city Municipality had
reported
~~stated~~ vide Our Letter No. A 5.A 438/48-49
dated 17. 8 49 that Sarpa Bai
would be appointed in the Vacancy of
Dr Laxmibai Marwar who resigned on 14 9 46
while in view present Letter it has
been stated that Dr Laxmibai Marwar
was to be in charge of the Municipal
Maternity Home and Dr. Sarpa Bai is
appointed for an Maternity Vacancy and
posted to Kalbadevi Maternity Home
I therefore request that this point
may be clarified further

Yours faithfully
17/11/50
Asst Sec
12/6/50

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 14

No L 3368

General and Revenue Secretariat,

Dated Bangalore, 24-6 1950

FROM

The Secretary to the Government of Mysore,
His Highness the Maharaja of Mysore
L S G Department, Bangalore

To

The Commissioner,
Corporation of the City of Bangalore,
(Through the Mayor)

SIR,

SUBJECT Proposal to appoint Dr S Saroja Bai as Lady Doctor in the Bangalore City Municipality in an existing vacancy

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With reference to the correspondence ending with your letter No A5 C 438/48-49 dated 15/16th May 1950 on the above subject, I am directed to enquire whether the appointment of Dr Saroja Bai has been made in accordance with the rules of the Central Recruitment Board

The Commissioner of the erstwhile Bangalore City Municipality had reported in his letter No A5 C 438/48-49 dated 17th August 1949 that Smt Saroja Bai would be appointed in the vacancy of Dr Lakshmidevamma who resigned on 14th September 1946 while in your present letter it has been stated that Dr Lakshmidevamma is still in charge of the Manavarthpet Maternity Home and Dr Saroja Bai is appointed in an existing vacancy and posted to Seth Chellaram Maternity Home I therefore request that this point may be clarified further

Yours faithfully,

for L S G Secretary to Government

sr/2

CORPORATION OF THE CITY OF BANGALORE

No A6.C.438/48-49.

CORPORATION OFFICES,
BANGALORE

Dated 10th May 1951

FROM

MIR SAFDAR HUSSAIN, Esq, B A,
COMMISSIONER, BANGALORE CORPORATION,
BANGALORE

To

The Secretary to the Government of Mysore,
Local Self Government Department,
BANGALORE.

SECRETARIAT GENERAL MUNICIPAL BRANCH 17 MAY 1951

SIR,

SUBJECT - PROPOSAL TO APPOINT DR S SAROJA BAI AS LADY DOCTOR IN THE BANGALORE CITY MUNICIPALITY IN AN EXISTING VACANCY

---oOo---

With reference to the correspondence ending with your letter No.L 3368 dated 24th June 1950 on the above subject, I write to state that Dr. S.Saroja Bai is appointed as Lady Doctor in an existing vacancy on the strength of the erstwhile City Municipal Council resolution dated 7th March 1949 and it is under correspondence since then Therefore her appointment is not regularised under the rules of C R.B.

With regards to the para 2 of your letter under reference I may state that the vacancy in which Dr. Saroja Bai is appointed was previously held by Dr. Kamala Bai (not Dr. Lakshmi devamma) who resigned on 14-9-1946.

I therefore request you to kindly communicate early orders of Government to appoint Dr S.Saroja Bai on an initial pay of Rs.100/- in grade 75-5-100-10-200 in the circumstances already explained

Forwarded with compliments

Yours faithfully,

MAYOR

COMMISSIONER

MKR

Appendix F G—1]

1.6

SUBJECT :- Appointment of Dr. S Saroja Bai as Lady Doctor at the B'lore City Municipality

Mysore Government Secretariat

( )

the 195

Date of issue

Signed by

List of enclosures

Copied by

Examined by

6 Copies

Section C M

File No 1- 53

Serial No 89

Diary No of letter replied to No L13864/29-1-54

To

The Commissioner BCB

(Through the Mayor)

Sir,

With Reference to the Correspondence ending on your letter No. A 6 C 438/48-49 dated 10 Sept 1951 on the Subject, I am directed to state that prior to the formation of the Corporation the Rules of Recruitment were made applicable to all the Local Bodies excluding the B'lore City

Municipality After Retirement,
appointment as the Civil Station
Municipality were also brought
within the Rules of Recruitment
under Art 313 of the Constitution of
India, the Court Orders were to
force immediately before the
Commencement of the Constitution.
and applicable to any public
Service or post shall continue
in force as far as they are
Consistent with the provisions of
the Constitution So ~~the~~
You have been appointed as
the Civil Officer for purposes
of Recruitment to all Corporation
Services in G.O. No G 9709-151/
R&P S 10-49-2 dated 28.2.1950
In view of the above position as stated above,
the appointment of Dr. S Sanjiva Rao
to note on the Reference of the Rules
of Recruitment is not in order.

M G S App F G 3

MYSORE GOVERNMENT
SECRETARIAT

(*Continuation sheet draft form*)

Her appointment shall therefore be terminated accordingly. She may however be paid the salary due to her for the period she has worked

Yours faithfully

for Secretary to Government

Copy to L13865-66 dtd 27-1-54
1) The Controller, SA-01
2) " Auditor, CC.B

WD 03546—GPB—10 000 —14 8 53

GOVERNMENT OF MYSORE

No L. 13864/E11-53-89

Mysore Government Secretariat,
Municipal Branch
Dated Bangalore, January 1954

FROM

The Secretary to the Government of Mysore,
L.S.G. & Planning Departments

To

The Commissioner,
Corporation of the City of Bangalore,
(through the Mayor)

Sir,

Subject:- Appointment of Dr.S.Saroja Bai as Lady Doctor in the Bangalore City Municipality.

With reference to the correspondence ending with your letter No.A6 438/48-49 dated the 10th May 1951 on the subject, I am directed to stat that prior to the formation of the Corporation, the Rules of Recruitme were made applicable to all the Local Bodies, including the Bangalore Municipality. After retrocession, appointments in the Civil Station pality were also brought within the Rules of Recruitment. Under Art of the Constitution of India, the laws that were in force immediately before the commencement of the Constitution and applicable to any pu service or posts shall continue in force as far as they are consiste with the provisions of the Constitution. So you have been appointe the Unit Officer for purposes of recruitment to all Corporation serv in Government Order No.9709-15/R.& P.S.10-49-2 dated the 28th Feb.

2. In view of the position as stated above, the appointment o Saroja Bai without reference to the Rules of Recruitment is not in Her appointment should therefore be terminated immediately. She ma ever be paid the salary due to her for the period she has worked.

Yours faithfull

Sd. G.V.K. Rao,
Secretary to Gover ment,
L.S.G. & Planning Departments.

Memo No.L. 13865-66/22-1-54

Copy of the above is forwarded to :-
(1) The Controller, State Accounts Department, Bangalore,
(2) " Auditor, Corporation of the City of Bangalore,

(V Hanumanthappa)
for Secretary to Government,
L.S.G. & Planning Department

LNS.6.23/1.

GOVERNMENT OF MYSORE.

No L. 13864/CM 1-53-89

Mysore Government Secretariat,
Municipal Branch
Dated Bangalore 23 January 1954

From

The Secretary to the Government of Mysore,
L.S.G. & Planning Departments

To

The Commissioner,
Corporation of the City of Bangalore,
(through the Mayor)

Sir,

Subject:- Appointment of Dr.S.Saroja Pai as Lady Doctor in the Bangalore City Municipality.

With reference to the correspondence ending with your letter No.A6.C. 438/48-49 dated the 10th May 1951 on the subject, I am directed to state that prior to the formation of the Corporation, the Rules of Recruitment were made applicable to all the Local Bodies, including the Bangalore City Municipality. After retrocession, appointments in the Civil Station Municipality were also brought within the Rules of Recruitment. Under Art.313 of the Constitution of India, the laws that were in force immediately before the commencement of the Constitution and applicable to any public service or posts shall continue in force as far as they are consistent with the provisions of the Constitution. So you have been appointed as the Unit Officer for purposes of recruitment to all Corporation services in Government Order No...9709-15/R.& P.S.10-49-2 dated the 28th Feb.1950.

2. In view of the position as stated above, the appointment of Dr.S. Saroja Pai without reference to the Rules of Recruitment is not in order. Her appointment should therefore be terminated immediately. She may, however be paid the salary due to her for the period she has worked.

Yours faithfully,

Sd. G.V.K. Rao,
Secretary to Govern ent,
L.S.G. & Planning Departments.

emo No.L. 13865-66/23-1-54

Copy of the above is forwarded to -
(1) The Controller, State Accounts Department, Bangalore,
(2) " Auditor, Corporation of the City of Bangalore,

(V. Hanumanthappa) 23/1
for Secretary to Government,
L.S.G. & Planning Departments.

LM3.6.23/1.

Dr. S Saroja Bai was appointed as Lady Doctor in the Bangalore City Municipality in pursuance of the Municipal Council Resolution dated 7-3-1949 and the Corporation requests approval to the appointment of Dr S Saroja Bai on Rs.100/- in grade 75-5-100-10-150-10-200

The Public Service Commission is of opinion that the action of the Corporation in having appointed Dr S Saroja Bai without reference to rules of recruitment is irregular and that the vacancy should be classified, advertised and filled up and that Sm S Saroja Bai may also apply for the same and that she is not eligible for appointment if she is a Brahmin lady (vide paras 44 and 45 of the notes)

The L S G Secretary pointed out that as per Section 89 of the Corporation Act 1949, the Corporation and the Commissioner are competent to make appointments up to Rs.250/- in each case without sanction of Government, that the Corporation has full powers with regard to variation of pay etc. under Section 90 of the Act and that the Public Service Commission need not be consulted (Vide para 67 of the notes and also Flag 'R').

The P S C again furnished its opinion that it is not in favour of regularising the appointment of Dr S Saroja Bai and that though the Corporation has been vested with certain powers, yet it has to follow rules of recruitment

The Law Department too has stated that the appointment had to be made according to old rules and that even according to old rules, the P S.C had to be consulted and that the appointment of Dr S Saroja Bai is not in order

$$\frac{24}{21}$$